

**REMARKS**

**Claim Rejections**

Claims 1-11 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 08-289381 A to Morimoto (“Morimoto”) in view of U.S. Patent No. 6,116,373 to Dodd (“Dodd”). Applicants traverse this rejection.

Addressing claim 1, the combination of Morimoto and Dodd does not disclose or suggest at least a hole in which the speaker is attached and a cutout portion formed along at least part of the periphery of the hole, as recited in the claim. The Examiner concedes that Morimoto does not disclose or suggest the above features of the claim. Dodd does not cure these deficiencies of Morimoto.

Dodd discloses an acoustic horn for loudspeakers adapted to be coupled to a compression driver (column 3, lines 11-16). According to Dodd, an annular flange 20 is affixed to the narrow end of the sidewalls 12A, 12B, 14A, 14B, allowing horn body 10 to be coupled to a compression driver (column 3, lines 31-33). Therefore, as disclosed by Dodd, the loudspeaker is attached to the flange 20 which has a hole, but the loudspeaker is *not attached in the hole*. On the other hand, as claimed by Applicants and supported in the specification, the speaker is *attached in a hole* in an attaching plate.

Further, Dodd discloses four outward curved sidewalls 12A, 12B, 14A, 14B, which extend in a direction substantially perpendicular to the annular flange 20 (see Fig. 1). A slot 24 is formed through at least some of the sidewalls 12A, 12B, 14A, 14B, of the horn body 10. As such, Dodd discloses that the slot is not formed in the annular flange 20, and therefore is not a cutout portion formed along at least part of the periphery of the hole, as recited in claim 1.

Amendment Under 37 C.F.R. § 1.116  
U.S. Appln. No. 10/743,781

Atty. Docket No. Q79096

Since the combined references fail to disclose at least the above-noted features, even if one of ordinary skill in the art at the time the invention was made had been motivated to combine the references, the combination would still not result in the claimed features.

For at least the above reasons, claim 11 is patentable over the combination of Morimoto and Dodd. Claims 2-11, which depend from claim 1, are patentable at least by virtue of their dependency.

### Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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